

REMARKS

Applicants respectfully request reconsideration of the present Application. Claims 1-5, 8-9, 11-17, 19, 21-28, and 31-34 have been amended and claims 6-7, 10, and 20 have been canceled herein. Care has been exercised to introduce no new matter. Claims 1-5, 8-9, 11-17, 19, and 21-34 are pending and are in condition for allowance.

Rejections based on 35 U.S.C. § 112

Claims 14 and 34 were rejected under 35 U.S.C. 112, second paragraph, as ostensibly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claim 14 has been amended to more clearly recite that the *utilization* of system resources is kept under a predetermined threshold and to resolve antecedent basis issues as required by the Office Action. Claim 34 has been amended to more clearly recite that “the bulk component processes the errored account with *up to* a predetermined threshold number of attempts to resolve the errored account.” Claim 34 has also been amended to overcome rejections based on vagueness and insufficient antecedent basis as required by the Office Action.

As such, Applicants respectfully submit that claims 14 and 34 are not indefinite and particularly point out and distinctly claim the subject matter which applicants regard as the invention. Accordingly, Applicants request withdrawal of the 35 U.S.C. § 112 rejection of claims 14 and 34 and allowance of the claims.

Rejections based on 35 U.S.C. § 103 over Hanagan, in view of Pather

Claims 1-17 and 19-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hanagan, et al. U.S. Publication No. 2004/0133487 (hereinafter “Hanagan”) in view of Pather, et al. U.S. Patent No. 7,177,859 (hereinafter “Pather”).

Applicants submit that Pather is disqualified as prior art under 35 U.S.C. § 103(c) which states that

[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The instant application and Pather were, at the time the invention of the instant application was made, owned by Microsoft Corporation. As such, Pather cannot be used as a prior art reference for a rejection of the instant application under 35 U.S.C. § 103. Accordingly, Applicants respectfully submit that claims 1-17 and 19-33 are not obvious over Hanagan in view of Pather and respectfully request withdrawal of the 35 U.S.C. § 103 rejection thereof.

The current 35 U.S.C. § 103 rejections over Hanagan stated in the Office Action are addressed below. Such is in no way intended to admit or otherwise indicate that the rejections are valid or based on valid references.

Independent claim 1

Independent claim 1, as currently amended, recites computer-readable media for performing a system that facilitates task processing. The system includes a bulk component that periodically, concurrently processes in a bulk mode, a plurality of eligible accounts with a set of dependent tasks. Only a required set of eligible accounts are fetched for bulk processing based on preset criteria for each of the tasks in the set of dependent tasks. The system also includes a

removal component that removes an account from the eligible accounts and from bulk processing as an errored account if an error is associated therewith. The errored account is made ineligible for fetching for future bulk mode processing.

In contrast, Hanagan describes a customer care and billing system that includes a variety of modular components. *Hanagan* at ¶ [0055]. The system also consolidates customer care and billing data to allow services to be provided and the data viewed via a single interface and through a consolidated database. *Id.* As such, Applicants respectfully submit that Hanagan fails to teach or suggest all the limitations of independent claim 1.

Independent claim 1, as currently amended, recites that only a required set of eligible accounts are fetched for bulk processing based on preset criteria for the tasks to be completed via the bulk processing. Hanagan does not describe identifying accounts as eligible for bulk processing or fetching only a required set of eligible accounts based on preset criteria. Hanagan merely describes in general batch processing of files by methods known in the art.

The Office Action equates the statement of Hanagan that a “row is valid” at ¶ [0411] with Applicants recitation of eligible accounts; Applicants respectfully disagree. An eligible account is an account that is eligible to be fetched for bulk processing. *See Applicants’ Specification* at p. 3, lines 5-18. The statement of Hanagan is only descriptive of a row of data within a database object and describes when the row of data is effective, e.g., the row of data is only valid during a given time period, such as a short term promotional billing rate. *Hanagan* at ¶ [0411]. The description provided by Hanagan does not provide any indication that the status of a row of data being valid or not has any bearing on whether the account or file is eligible for bulk processing. Further, the Office Action cites ¶ [0078] of Hanagan which, when read in context, merely indicates that the system of Hanagan can interface with external organizations to provide

validations of customers by, for example, obtaining a credit check of a customer from a third party. This also fails to provide any teaching or suggestion of identifying an account as eligible for bulk processing as recited by Applicants claim 1.

Applicants' independent claim 1 also recites a set of dependent tasks are employed for bulk processing. Conversely, Hanagan describes "task dependencies" that can be supported by a scheduling algorithm, however when read in context the "task dependencies" referred to by Hanagan relate to tasks that must be provided in order to provide or change a service to a customer. *Hanagan* at ¶ [0329]. Such tasks are not bulk processing tasks as recited by independent claim, but rather are workforce tasks that are accomplished by people working to provide or change a customer's services. *Id.* at ¶ [0311]. As such, Hanagan does not teach or suggest dependent tasks employed in bulk processing as recited by Applicants' claim 1.

Additionally, independent claim 1 has been amended to more clearly recite that the removal component removes errored accounts from bulk processing and makes the errored account ineligible for fetching for future bulk processing. Hanagan does not describe removing accounts from processing when an error is encountered. Hanagan also fails to teach or suggest making an errored account ineligible for fetching for future bulk processing as recited by claim 1.

As such, it is respectfully submitted that Hanagan fails to teach or suggest all of the claim limitations of independent claim 1. It is further submitted that the combination of Hanagan and Pather would also fail to teach or suggest all of the claim limitations of independent claim 1 if Pather were not disqualified as prior art. Accordingly, Applicants submit that claim 1 is not obvious over Hanagan (in view of Pather). Applicants respectfully request withdrawal of

the 35 U.S.C. § 103(a) rejection of independent claim 1. Claim 1 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Claims 2-5, 8-9, and 11-14 depend, either directly or indirectly, from independent claim 1. Thus, Applicants respectfully submit that Hanagan (and Pather, either alone or in combination) fails to teach or suggest all of the limitations of dependent claims 2-5, 8-9, and 11-14 for at least the above-cited reasons. Accordingly, Applicants respectfully submit that dependent claims 2-5, 8-9, and 11-14 are not obvious over Hanagan (in view of Pather) and request withdrawal of the 35 U.S.C. § 103(a) rejection thereof.

Independent Claim 15

Independent claim 15 includes limitations similar to those described above with respect to independent claim 1 such as a bulk component that bulk processes eligible accounts and a removal component that removes an errored account from bulk processing and makes the errored account ineligible for fetching for future bulk processing. As such, the remarks provided above for independent claim 1 apply equally to independent claim 15.

Independent claim 15 also includes an error component that that processes the errored account to resolve the error associated therewith, and merges the processing of the resolved errored account with bulk processing of the eligible accounts by the bulk component when the resolved errored account processing is temporally aligned with the bulk processing and identifies the errored account as eligible for fetching for future bulk processing.

Conversely, Hanagan describes a validator that identifies unrated event records that have errors and writes the records to an invalid event records file. *Hanagan* at ¶ [0250]. The records having errors may be handled by ignoring the incorrectness, recycling the record, or

by writing to the invalid event records file. *Id.* Corrections can be applied to the records and the validated records written to a file. *Id.*

As such, Hanagan does not describe merging the *processing* of a resolved errored account with the bulk processing when the two are temporally aligned as recited by the claim. The Office Action equates the “assembly” term of ¶ [0250] of Hanagan with the “merges” terminology of independent claim 15; Applicants must disagree. “Assembly” is taken out of context by the Office Action. The term is actually “assembly record” which is not defined by Hanagan, but which Applicants believe from the context to indicate a record or portion of a record that is to be incorporated into a larger record, e.g., an update to a master record. Applicants’ definition is further supported by the Office Action’s additional reference to ¶ [0477] of Hanagan stating, “[t]he framework merges master and incremental update files....” As such, Hanagan merely describes adding update data to a master file to update the master file. Such is not the same as the merging of processes recited by independent claim 15.

Independent claim 15 recites that the *processing* of the resolved errored account is merged with the bulk processing. Thus, an eligible account is not updated by the merging, but rather the *processing* of the resolved errored account is merged into the *processing* of the eligible accounts such that the resolved errored account and the eligible accounts are again processed as a group in bulk.

Independent claim 15 further recites that the merging is done when the *processing* of the resolved errored account and the *processing* of the eligible accounts are temporally aligned, for example, the processing of the resolved errored account and the eligible accounts might be at equal levels of completion. Hanagan does not describe such processing, merging, or temporal alignment. The cited portions of Hanagan merely describe bringing a master file up to

date with a database based on updates to the database. *Hanagan* at ¶ [0476]. Such is not descriptive of merging the *processing* of a resolved errored account with the *processing* of the eligible accounts when each *processing* is temporally aligned as recited by the claim.

Additionally, independent claim 15 includes a catch-up component that facilitates real-time processing of an account. As indicated by the Office Action, *Hanagan* does not teach a catch-up component.

As such, it is respectfully submitted that *Hanagan* fails to teach or suggest all of the claim limitations of independent claim 15. It is further submitted that the combination of *Hanagan* and *Pather* would also fail to teach or suggest all of the claim limitations of independent claim 15 if *Pather* were not disqualified as prior art. Accordingly, Applicants submit that claim 15 is not obvious over *Hanagan* (in view of *Pather*). Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claim 15. Claim 15 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Claims 16-17 and 19-21 depend, either directly or indirectly, from independent claim 15. Thus, Applicants respectfully submit that *Hanagan* (and *Pather*, either alone or in combination) fails to teach or suggest all of the limitations of dependent claims 16-17 and 19-21 for at least the above-cited reasons. Accordingly, Applicants respectfully submit that dependent claims 16-17 and 19-21 are not obvious over *Hanagan* (in view of *Pather*) and request withdrawal of the 35 U.S.C. § 103(a) rejection thereof.

Independent Claim 22

Independent claim 22 includes limitations similar to those described above with respect to independent claims 1 and 15 such as bulk processing eligible accounts, removing an errored account from bulk processing, and identifying the errored account as ineligible for

fetching for future bulk processing. As such, the remarks provided above for independent claims 1 and 15 apply equally to independent claim 22.

As such, it is respectfully submitted that Hanagan fails to teach or suggest all of the claim limitations of independent claim 22. It is further submitted that the combination of Hanagan and Pather would also fail to teach or suggest all of the claim limitations of independent claim 22 if Pather were not disqualified as prior art. Accordingly, Applicants submit that claim 22 is not obvious over Hanagan (in view of Pather). Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claim 22. Claim 22 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Claims 23-27 depend, either directly or indirectly, from independent claim 22. Thus, Applicants respectfully submit that Hanagan (and Pather, either alone or in combination) fails to teach or suggest all of the limitations of dependent claims 23-27 for at least the above-cited reasons. Accordingly, Applicants respectfully submit that dependent claims 23-27 are not obvious over Hanagan (in view of Pather) and request withdrawal of the 35 U.S.C. § 103(a) rejection thereof.

Independent Claim 28

Independent claim 28 includes limitations similar to those described above with respect to independent claims 1, 15, and 22 such as bulk processing eligible accounts, removing an errored account from bulk processing, and identifying the errored account as ineligible for fetching for future bulk processing. As such, the remarks provided above for independent claims 1, 15, and 22 apply equally to independent claim 28.

As such, it is respectfully submitted that Hanagan fails to teach or suggest all of the claim limitations of independent claim 28. It is further submitted that the combination of

Hanagan and Pather would also fail to teach or suggest all of the claim limitations of independent claim 28 if Pather were not disqualified as prior art. Accordingly, Applicants submit that claim 28 is not obvious over Hanagan (in view of Pather). Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claim 28. Claim 28 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Claims 29-30 depend, either directly or indirectly, from independent claim 28. Thus, Applicants respectfully submit that Hanagan (and Pather, either alone or in combination) fails to teach or suggest all of the limitations of dependent claims 29-30 for at least the above-cited reasons. Accordingly, Applicants respectfully submit that dependent claims 29-30 are not obvious over Hanagan (in view of Pather) and request withdrawal of the 35 U.S.C. § 103(a) rejection thereof.

Independent Claim 31

Independent claim 28 includes limitations similar to those described above with respect to independent claims 1, 15, and 22 such as bulk processing eligible accounts, removing an errored account from bulk processing, and identifying the errored account as ineligible for fetching for future bulk processing. As such, the remarks provided above for independent claims 1, 15, 22, and 28 apply equally to independent claim 31.

As such, it is respectfully submitted that Hanagan fails to teach or suggest all of the claim limitations of independent claim 31. It is further submitted that the combination of Hanagan and Pather would also fail to teach or suggest all of the claim limitations of independent claim 31 if Pather were not disqualified as prior art. Accordingly, Applicants submit that claim 31 is not obvious over Hanagan (in view of Pather). Applicants respectfully request withdrawal

of the 35 U.S.C. § 103(a) rejection of independent claim 31. Claim 31 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Independent Claim 32

Independent claim 32 recites a system that facilitates the periodic processing of accounts. The system includes a first system that processes a set of tasks against accounts and a second system that periodically processes the same set of tasks against the accounts. The first system signals the second system to bypass processing of a first account of the accounts if the first system determines an error in the first account.

Applicants respectfully submit the Hanagan does not teach or suggest all of the limitations of independent claim 32. The cited portions of Hanagan do not describe a first system signaling a second system to bypass processing of an account when an error is found in the account. The cited portions merely describe that alternative processing is used for specific event types, that processes can be controlled by a central control management process, and that multiple processes can share files. *See Hanagan* at ¶¶ [0163], [0444], and [0475]. Such is not descriptive of a first process signaling a second process to bypass processing of an account that is in error.

As such, it is respectfully submitted that Hanagan fails to teach or suggest all of the claim limitations of independent claim 32. It is further submitted that the combination of Hanagan and Pather would also fail to teach or suggest all of the claim limitations of independent claim 32 if Pather were not disqualified as prior art. Accordingly, Applicants submit that claim 32 is not obvious over Hanagan (in view of Pather). Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claim 32. Claim 32 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

Claim 33 depends, either directly or indirectly, from independent claim 32. Thus, Applicants respectfully submit that Hanagan (and Pather, either alone or in combination), fail to teach or suggest all of the limitations of dependent claim 33 for at least the above-cited reasons. Accordingly, Applicants respectfully submit that dependent claim 33 is not obvious over Hanagan (in view of Pather) and request withdrawal of the 35 U.S.C. § 103(a) rejection thereof.

Rejections based on 35 U.S.C. § 103 over Hanagan, in view of Pather, in view of Seshadri

Independent Claim 34

Independent claim 34 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hanagan, in view of Pather, and further in view of Seshadri, et al. U.S. Publication No. 2004/0002988 (hereinafter “Seshadri”).

As described above with respect to claims 1-17 and 19-33, Applicants submit that Pather is disqualified as a prior art reference for the instant invention under 35 U.S.C. § 103. Further, Applicants submit the Seshadri is also disqualified as prior art under 35 U.S.C. § 103(c). The instant application and Seshadri were, at the time the invention of the instant application was made, owned by Microsoft Corporation. As such, Seshadri cannot be used as a prior art reference for a rejection of the instant application under 35 U.S.C. § 103. Accordingly, Applicants respectfully submit that claim 34 is not obvious over Hanagan (in view of Pather and further in view of Seshadri) and respectfully request withdrawal of the 35 U.S.C. § 103 rejection thereof.

Additionally, independent claim 34 includes limitations similar to those described above with respect to claims 1-17 and 19-33 such as bulk processing eligible accounts, removing an errored account from bulk processing, and identifying the errored account as ineligible for fetching for future bulk processing. As such, the remarks provided above for independent claims

1, 15, 22, and 28 apply equally to independent claim 34 and Applicants respectfully submit that Hanagan does not teach or suggest all of the claim limitations of independent claim 34. It is further submitted that the combination of Hanagan, Pather, and Seshadri would also fail to teach or suggest all of the claim limitations of independent claim 28 if Pather and Seshadri were not disqualified as prior art

As such, it is respectfully submitted that Hanagan (Pather and Seshadri, either alone or in combination) fails to teach or suggest all of the claim limitations of independent claim 34. Accordingly, Applicants submit that claim 34 is not obvious over Hanagan (in view of Pather, further in view of Seshadri). Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of independent claim 34. Claim 34 is believed to be in condition for allowance and such favorable action is hereby respectfully requested.

CONCLUSION

For at least the reasons stated above, claims 1-5, 8-9, 11-17, 19, and 21-34 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-559-2564 or areed@shb.com (such communication via email is herein expressly granted) – to resolve the same. It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112.

Respectfully submitted,

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